

TOWN OF NORTH CASTLE

WESTCHESTER COUNTY 17 Bedford Road Armonk, New York 10504-1898

Telephone: (914) 273-3542 Fax: (914) 273-3554 www.northcastleny.com

RESOLUTION

Action: Final Subdivision Plat Approval Application Name: Airport Campus [2023-038]

Owner/Applicant: Airport Campus I-V LLC & Toll Brothers

Designation: 118.02-1-1

Zone: R-MF-A & R-MF-SCH Zoning Districts

Acreage: 38.8 acres

Location: 113 King Street (NYS Route 120)

Date of Approval: February 26, 2024

Expiration Date: August 24, 2024 (180 Days)

WHEREAS, application for subdivision plat approval was submitted to the Planning Board and the application fees were paid; and

WHEREAS, the site is currently a vacant corporate campus; and

WHEREAS, the Applicant is seeking approval of a subdivision that will permit the construction of 125 attached townhomes on the 34.3 acres zoned R-MFA and adaptive reuse of the existing southern office building with 50 age-restricted apartments with a new parking structure on the 4.5 acres zoned R-MF-SCH; and

WHEREAS, in August of 2023 the Town Board rezoned the property to the R-MF-A and R-MF-SCH Zoning Districts; and

WHEREAS, the application consists of the following drawings:

- Plan labeled "C-000," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-010," entitled "Existing Conditions Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-020," entitled "Demolition Plan," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-100," entitled "Overall Layout Plan," dated September 21, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-101," entitled "Layout Plan," dated September 21, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-102," entitled "Layout Plan," dated September 21, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.

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- Plan labeled "C-151," entitled "Tree Protection Plan," dated September 21, 2022, lasted revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-152," entitled "Tree Protection Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-153," entitled "Tree Protection Table (Part A)," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-154," entitled "Tree Protection Table (Part B)," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-155," entitled "Tree Protection Table (Part C)," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-201," entitled "Grading Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-202," entitled "Grading Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-210," entitled "Road Profiles," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-301," entitled "Utilities Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-302," entitled "Utilities Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-320," entitled "Sanitary Sewer Profiles," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-330," entitled "Water Main Profiles," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-401," entitled "Erosion and Sediment Control Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-402," entitled "Erosion and Sediment Control Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.

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- Plan labeled "C-700," entitled "Vehicle Access Plan (Fire Truck)," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-701," entitled "Vehicle Access Plan (Delivery Tuck)," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-702," entitled "Vehicle Access Plan (Garbage Truck)," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-900," entitled "Construction Details," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-901," entitled "Construction Details," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-902," entitled "Construction Details," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-903," entitled "Construction Details," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "C-904," entitled "Construction Details," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "L-101," entitled "Landscape Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "L-102," entitled "Landscape Plan," dated September 21, 2022, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "L-103," entitled "Typical Unit Landscape Plan," dated September 25, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "IPP-1," entitled "Integrated Plot Plan," dated October 6, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "PSP-1," entitled "Preliminary Subdivision Play," dated November 10, 2023, last revised December 21, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "A.001," entitled "Cover Sheet," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.002," entitled "Tabulations," dated December 20, 2023, prepared by Lessard Design.

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- Plan labeled "A.100," entitled "Site Plan," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.101," entitled "Basement Floor Plan," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.102," entitled "1st Floor Plan," dated December 20, 2023, prepared by Lessard Design.
- Plan labeled "A.103," entitled "2nd Floor Plan," dated December 20, 2023, prepared by Lessard Design.
- Plan labeled "A.104," entitled "3rd Floor Plan," dated December 20, 2023, prepared by Lessard Design.
- Plan labeled "A.105," entitled "Penthouse Plan," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.106," entitled "Garage Building 1St Floor," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.107," entitled "Garage Building 2nd Floor," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A-201," entitled "North and South Elevation," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A-202," entitled "East and West Elevation," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A-203," entitled "Garage Elevations," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.204," entitled "3D Perspective View 01," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.205," entitled "3D Perspective View 02," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.206," entitled "3D Perspective View 03," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.207," entitled "3D Perspective View 04," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "A.210," entitled "Material Board," dated November 20, 2023, prepared by Lessard Design.
- Plan labeled "L-101," entitled "Landscape Plan," dated September 21, 2022, last revised October 6, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "L-102," entitled "Landscape Plan," dated September 21, 2022, last revised October 6, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.

WHEREAS, the purpose of the requested subdivision is to create separate infrastructure lots (roads, facilities, mains, recreation complex) and 125 individual single family homes; and

WHEREAS, the property is not served by public water; and

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WHEREAS, the property is served by public sewer; and

WHEREAS, the Applicant will extend public water mains to serve the properties; and

WHEREAS, pursuant to Section 239-y.3.a of NYS General Municipal Law, the Planning Board referred this application to the Conservation Board to review the application with respect to the proposed use or development of the open area in terms of the open area planning objectives of the Town; and

WHEREAS, pursuant to Section 340-5.B of the Town Code, the Conservation Board is required to review the proposed wetland application and, within 45 days of receipt thereof, file a written report and its recommendation concerning the application with the Planning Board; and

WHEREAS, the Conservation Board recommended approval of the project conditioned upon the mitigation plan being revised to reflect native plantings and that pesticide and herbicide use be Prohibited; and

WHEREAS, the site plan was forwarded to the Chief of Police, Fire Inspector and the Armonk Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services; and

WHEREAS, the Planning Board did not receive comments from emergency service providers; and

WHEREAS, the site plan was forwarded to the Water and Sewer department so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the capacity of the sewer and water infrastructure to handle the proposed amount of demand; and WHEREAS, the Planning Board did not receive comments from the Water and Sewer department; and

WHEREAS, the application for site plan approval was referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML) since the subject site is located within 500 feet of NY Route 120; and

WHEREAS, Westchester County has not provided comments to the Planning Board; and

WHEREAS, the site contains an existing 1820's farmhouse that is proposed to be demolished by the Applicant; and

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation found the farmhouse is not historically significant; and

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WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation found the farmhouse is not historically significant; and

WHEREAS, the Planning Board has received and considered comments from the public, Town Attorney, Town Engineer and Town Planner; and

WHEREAS, the requirements of the Land Subdivision Regulations, the Zoning Ordinance and the 2018 Town of North Castle Comprehensive Plan have been met by the application; and

WHEREAS, under the Town Law the approval of said preliminary subdivision plat by this Planning Board does not affect the power of the Town to change zoning regulations, nor act as an assurance of the granting of any building permits;

WHEREAS, the Applicant received preliminary subdivision plat approval on February 26, 2024;

NOW THEREFORE BE IT RESOLVED, that pursuant to the authority granted by Section 275-15.E of the Town of North Castle Town Code, the Planning Board hereby waives the public hearing on the final plat; and

BE IT FURTHER RESOLVED, that pursuant to Section 275-8 of the Town Code, the Planning Board finds that because of the special circumstances of the existing topography on the property, extraordinary hardships would result from strict compliance with the Town Road standards with respect to minimum vertical geometry, horizontal curves and tangents requirements of the Town Code and that it is appropriate to adjust the regulations so that substantial justice may be done and the public interest secured; and

BE IT FURTHER RESOLVED, that the final subdivision plat approval, as described herein is conditionally approved, subject to compliance with the following conditions and modifications; and

BE IT FURTHER RESOLVED, that this final subdivision plat approval shall expire 180 days from the date of this resolution unless a written request for an extension of final subdivision plat is granted by the Planning Board; and

BE IT FURTHER RESOLVED, that if all conditions of approval are not fully complied with within the above time limits, said plat shall be disapproved.

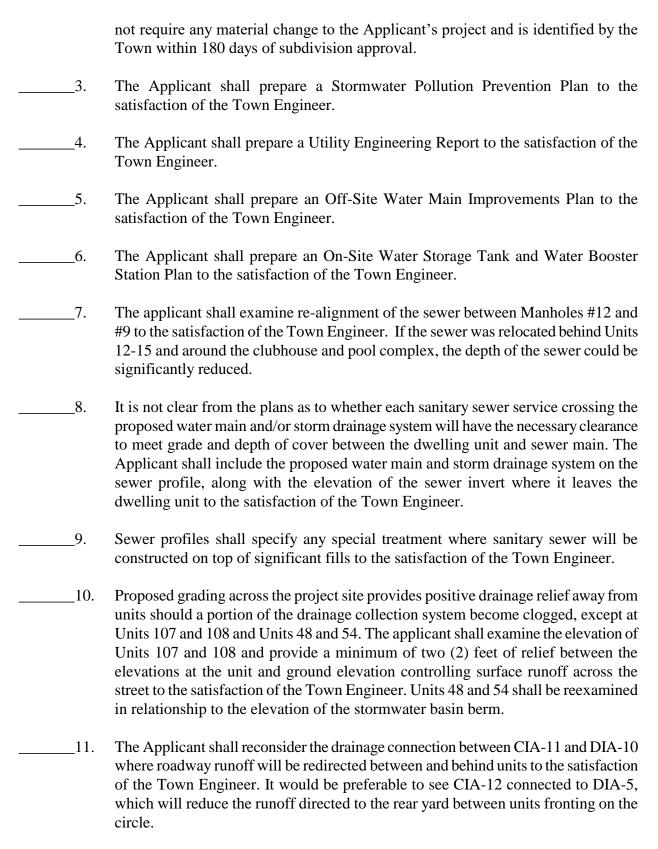
Conditions to be Completed Before the Final Plat is Signed

(The Planning Board Secretary's initial and date shall be placed in the space below to indicate that the condition has been satisfied.)

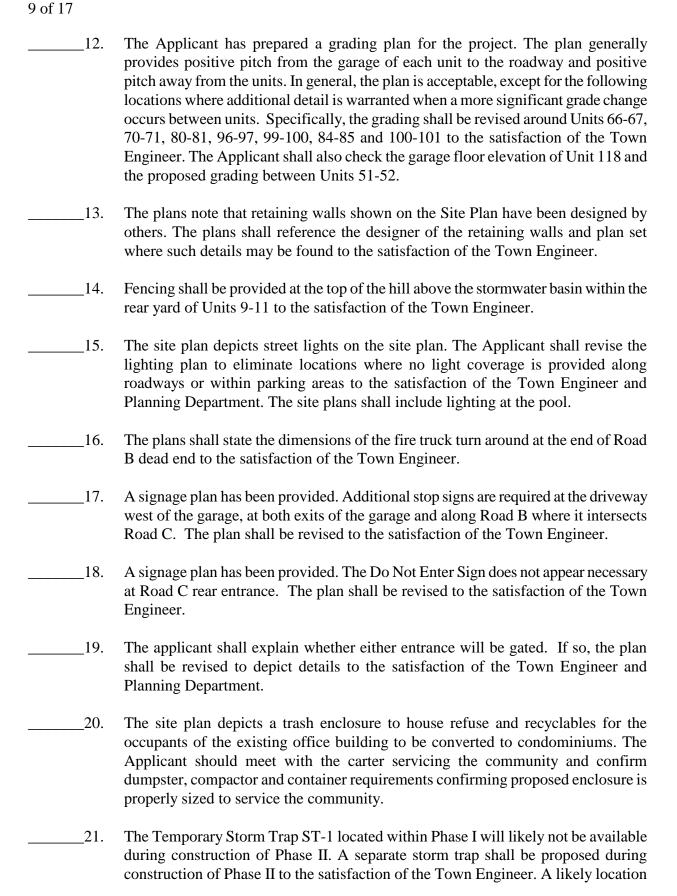
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1	The Applicant shall submit documentation, to the satisfaction of the Town Attorney, that the petition to extend Water District Number 8 has been completed.
2	The plat shall be revised to incorporate Town infrastructure that may be required as part of any planned Town interconnection and extension of #WD4 provided it does

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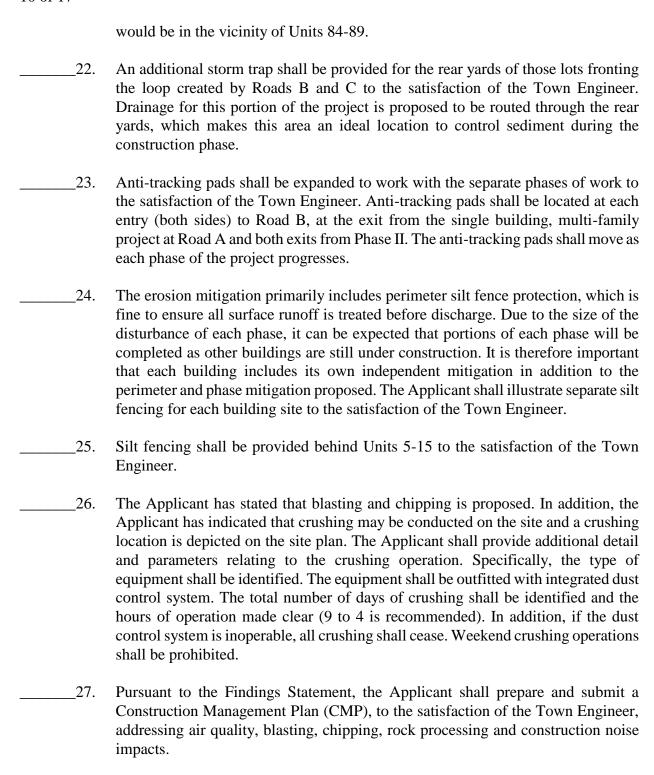
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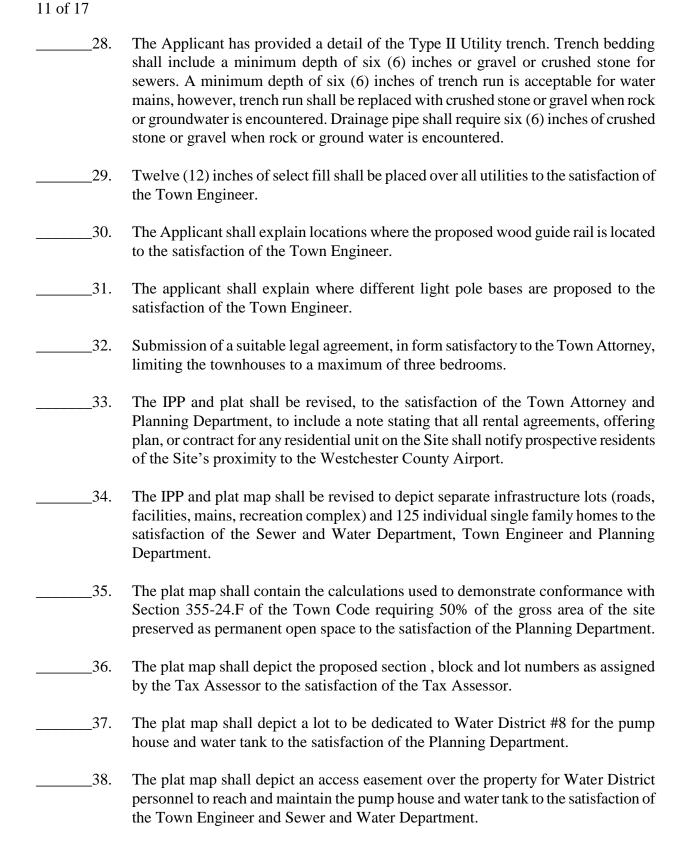
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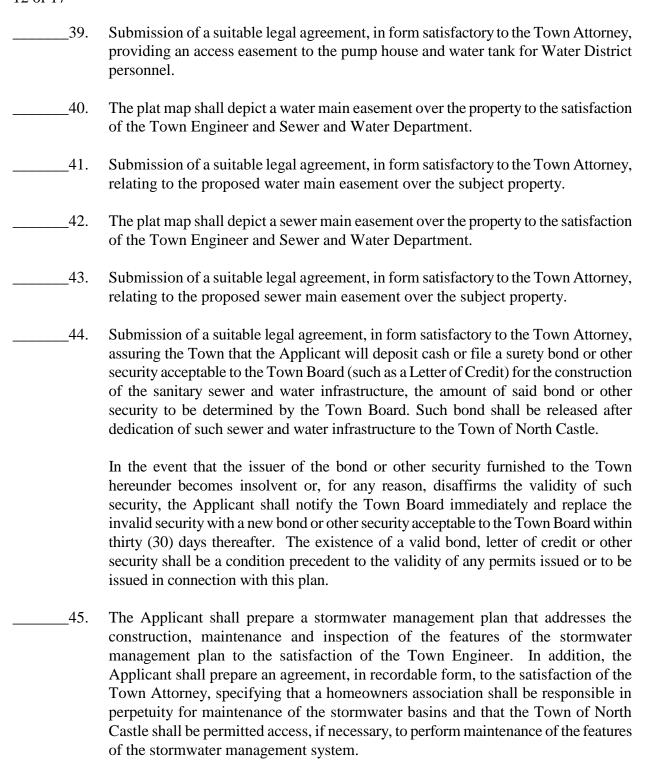
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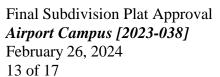


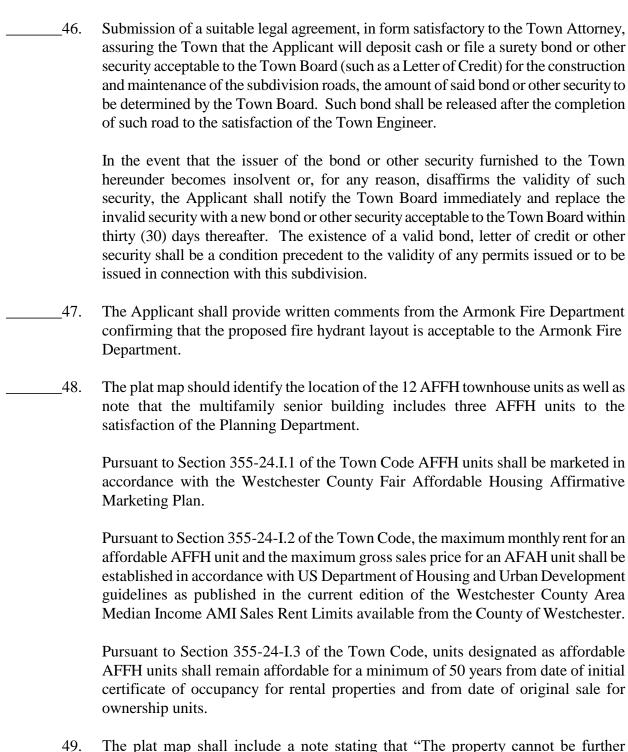
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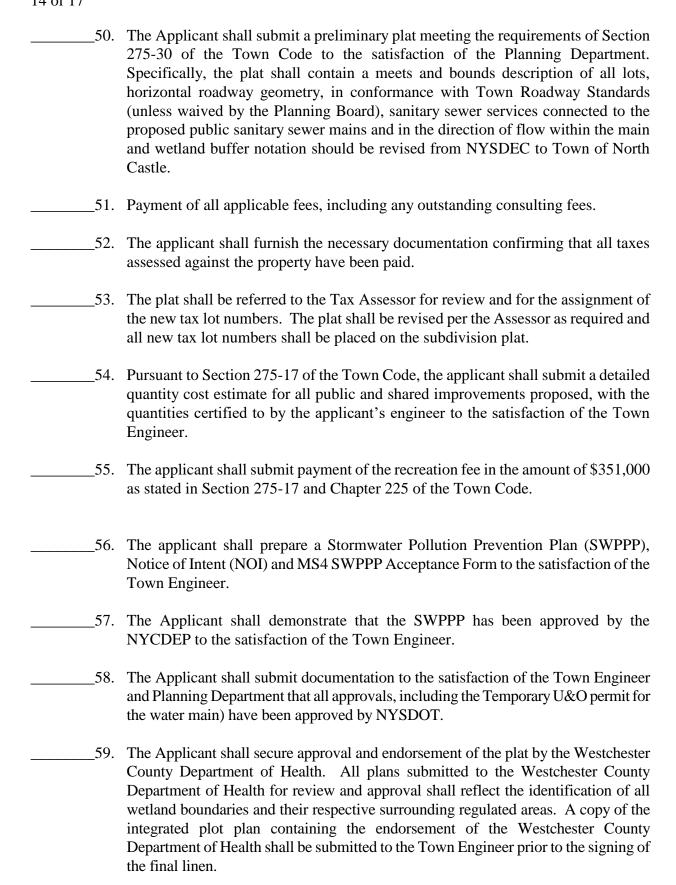




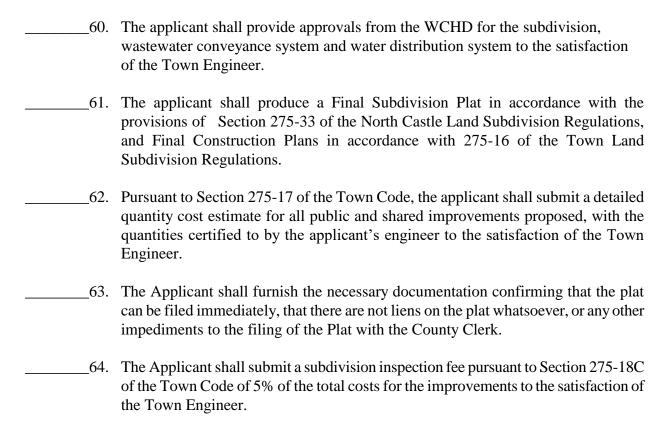


subdivided" to the satisfaction of the Planning Department."

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Other Conditions:

- 1. The Applicant shall be required to employ a full time construction manager for the project. In addition, the Town Board finds that given current Town staffing levels combined with the size of the development, the Applicant shall be required to establish an escrow account and reimburse the Town for costs associated with a third party part-time special engineering and/or building inspector.
- 2. The proposed irrigation system shall utilize the existing on-site pond and, if permitted by the County, from one or more of the existing on-site wells in an effort to minimize potable water use.
- 3. The Findings Statement requires the Applicant to employ a full time construction manager for the Townhouse and Senior development projects. In addition, the Applicant shall be required to reimburse the Town for costs associated with a third party part-time special engineering and/or building inspector
- 4. All references to "the Applicant" shall include the Applicant's successors and assigns.
- 5. All affordable AFFH units, whether for purchase or for rent, shall be marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan.

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- 6. All AFFH units shall comply with Town Code Section 355-24.I.2. Maximum Rent and Sales Price.
- 7. Pursuant to Section 355-24.I.3 of the Town Code, Units designated as affordable AFFH units shall remain affordable for a minimum of 50 years from date of initial certificate of occupancy for rental properties and from date of original sale for ownership units.

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	Applicant, agreed and understood as to contents and conditions, including expiration, contained herein
Date	Airport Campus I-V LLC
Date	Toll Brothers

	NORTH CASTLE PLANNING OFFICE, as to approval by the North Castle Planning Board
Date	Joseline Flores, Planning Board Secretary Certified as Approved by the North Castle Planning Board
	KSCJ CONSULTING As to Drainage and Engineering Matters
Date	Joseph M. Cermele, P.E. Consulting Town Engineer
	STEPHENS BARONI REILLY & LEWIS LLP As to Form and Sufficiency
Date	Roland A. Baroni, Jr. Esq., Town Counsel
	NORTH CASTLE PLANNING BOARD
Date	Christopher Carthy, Chair